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San Mateo County Board of Supervisors

December 3, 2024

1 SUPERVISOR DAVE PINE: Okay. We now
2 move to Item 10, which his to adopt an ordinance
3 calling for a special election to be held March
4 4, 2025 for the purpose of voting an amendment to
5 the San Mateo County Charter granting the board
6 of supervisors the authority until December 31,
7 2028 to remove an elected sheriff for cause by a
8 four-fifths vote of supervisors. This is brought
9 forward by Supervisors Mueller and Corzo. Do you
10 have any comments?

11 SUPERVISOR RAY MUELLER: I do have a
12 comment. I see now that the sheriff is
13 represented by counsel. Is that correct?

14 JOHN NIBBELIN: What I'd note is the --
15 we've received correspondence from counsel that
16 indicate that the sheriff has requested separate
17 counsel. The board hasn't yet acted on that
18 matter. I guess that's what I would say.

19 SUPERVISOR RAY MUELLER: Okay. Well,
20 to the extent the sheriff -- I mean, the sheriff
21 is indicating she has counsel, the last time she
22 appeared before this board she indicated that she
23 would consider testifying before the board once
24 she had counsel. We made that request to her
25 when she was here and she said as she was going

1 out the door she refused obviously to participate
2 in the investigation when it was taking place,
3 the independent investigation.

4 So I would like to once again invite
5 her, now that she's represented by counsel -- at
6 least we've seen correspondence purported to
7 saying that she's represented by counsel, to
8 please provide testimony to this board.

9 And then the second thing I wanted to
10 talk about is last night we received a letter
11 from the sheriff, and I have some real concerns
12 about the letter. Because the letter -- one of
13 the -- what gave rise to all of this is really,
14 just to sort of summarize it in the beginning,
15 was the way -- the complaints we had from
16 employees about how they were being treated
17 within the department.

18 So much so now that it's risen to the
19 level that all of the sworn union personnel have
20 voted and are unanimous. They're calling for her
21 to resign. The captains have called for her to
22 resign. The only sworn personnel in the office
23 who's still supporting her on record is the
24 second undersheriff she's had.

25 In that backdrop, last night the

1 sheriff sent us a letter and said -- and she was
2 questioning against the voracity of the texts
3 that it's been said -- alleged came from her
4 phone and that -- or we've had forensically
5 looked at. And she said in her sentence, "Would
6 the county have hired a company to trace a text
7 to my phone that one former employee claims came
8 from me?"

9 And the problem I have with that
10 sentence is that Witness 3 is not a former
11 employee. Witness 3 still works for the County
12 of San Mateo in the sheriff's department. And so
13 I don't know, as I sit here today, is the sheriff
14 saying that she intends to fire Witness 3 now?
15 Why is she referring to her as a former employee?
16 And that has given me great pause that we still
17 are in a circumstance where the sheriff is
18 communicating about people who haven't taken part
19 of this investigation and is either talking about
20 the future or giving a threat.

21 I don't know what this means that she
22 refers to her that was a former when she is not
23 or they are not. And we know the witness knows
24 who -- the sheriff knows who this person is
25 because the sheriff and Mr. Aellne has referred

1 to about this -- who -- this witness in news
2 interviews. So I'm -- I am really taken aback by
3 that. And it's in that context today that we're
4 really moving forward to protect the employees of
5 this county.

6 SUPERVISOR DAVE PINE: Supervisor
7 Corzo.

8 SUPERVISOR DAVE PINE: Thank you. So I
9 wanted to just kind of take a step back and share
10 that typically when we have these kinds of
11 resolutions or, you know, proposals, the second
12 reading can go on the consent agenda and we don't
13 need to have a public forum unless it's pulled by
14 a member of the public. But we put this on the
15 agenda because we recognize that there are a lot
16 of questions about why this is happening, why
17 now.

18 You know, there are questions about the
19 report, so I want to take the chance to address
20 some of those concerns proactively and again
21 restate that this board is, has been, and will
22 continue to be committed to transparency,
23 accountability, and doing what it is in the best
24 interest of the public good.

25 So I'd like to set the record straight

1 on a few misconceptions that I've heard in the
2 community specifically about the report. And I
3 want to make sure people understand that this is
4 an independent human resources investigation. As
5 someone who served for many years on a school
6 board, I have seen many of these kinds of
7 investigations done, and I want to be really
8 clear that these are not popularity contests.
9 These are not meant to be a platform for anyone
10 being investigated, for anyone to have their
11 cheerleaders give character references.

12 These kinds of investigations are done
13 to investigate serious allegations and then make
14 determinations based on credibility and facts
15 about whether these kinds of allegations are
16 sustained, unfounded, or even inconclusive. And
17 through the years, I have seen many of these
18 kinds of reports determine that there wasn't
19 enough evidence to determine whether something
20 was sustained or unfounded.

21 And even, you know, as a board member,
22 as a school board member I've seen these kinds of
23 investigations come back as inconclusive when
24 personally I thought that the allegations were
25 credible and that the complainants were credible.

1 But that's not the case here.

2 I have never in my seven years as an
3 elected official seen an investigation, first of
4 all, that has 15 allegations that are being
5 investigated. I want people to understand how
6 rare that is. That is not normal. And I think
7 it speaks to the level of severity of what is
8 happening in our sheriff's office. Twelve of the
9 fifteen allegations were sustained.

10 And I also want to explain to the
11 public that these kinds of investigations are not
12 necessarily required to be done by a former judge
13 like we had in this report. This -- you know,
14 reputable independent investigators do not have
15 to be former judges. They are not courtrooms.
16 They are not required or even is it normal to
17 have complainants, you know, under oath because
18 they're not courtrooms. So I want people to
19 understand that.

20 I also want to say that, you know, if
21 this matter does make it into a court of law, I
22 am really confident that anyone who lies under
23 oath can and will face consequences for not
24 telling the truth. And in this case, I believe
25 that is our sheriff. She has used many tactics

1 that are greatly questionable. You know, tactics
2 that we see around delaying, denying, deflecting
3 loudly publicly in front of the cameras.

4 And I -- because someone is loud does
5 not make them righteous or does not make them
6 truthful. And I want the community to know that.
7 We have many civil employees, most of who are
8 women -- all of whom are women, the complainants,
9 in the report who were interviewed. And they are
10 not represented by a union. They are not
11 represented or protected by unions, and they are
12 extremely vulnerable to this day because of the
13 conditions that they have had to work under.

14 Earlier today we saw many, many of our
15 county employees being celebrated, being
16 respected for their work, and we have those kinds
17 of employees in the sheriff's office who just
18 because of the mere like willpower they have for
19 their families, for our community have endured
20 treatment that no one should have to work under.

21 So I want to take a second now to also
22 address some other questions that I've heard in
23 the community. Does this charter amendment being
24 placed on the ballot take away the power from the
25 voters? And I want to be very clear, no, it does

1 not. This is going to be in front of the voters.
2 The voters will inform themselves and they will
3 make educated votes.

4 And why now? Because this matter
5 continues to harm people in the sheriff's office.
6 What we are seeing has never happened before.
7 And we cannot delay. We can't. The people of
8 the County of San Mateo will decide for
9 themselves if they want to pass this charter
10 amendment, and they will do so just like they
11 would in any election. They will be presented
12 with facts. They will come to their own
13 conclusions, and it is up to the community to
14 educate themselves, and for us as a board and us
15 as a community to make sure that we understand
16 really what's happening here.

17 And I've also heard, you know, that we
18 should wait for a recall. And while a recall is
19 the right of the voters, I want to again
20 reiterate that a recall is really a huge lift for
21 a community, especially a county-wide recall.
22 For -- about 46 signatures would be required to
23 even place something on the ballot for a recall
24 to be put on the ballot at all.

25 And what we see here is, you know,

1 continued violations of county policy, continued
2 harm to sheriff's office employees. And
3 honestly, even -- I would say every county
4 employee and every county resident is being
5 impacted by this. This is not something that
6 anyone would ever choose to be subjected to, but
7 it is our responsibility as a board to offer the
8 community solutions, and that is what we're doing
9 here today by taking this vote.

10 One more thing I want to address. You
11 know, is this board -- there have been questions
12 about why this board never took any similar
13 action for previous sheriffs. And I said this
14 last time and I will say it again. I was not on
15 this board for any previous decisions. I don't
16 know the facts of any decisions that were made.
17 That is not my responsibility. My responsibility
18 as a county supervisor is to make decisions right
19 now for the matters before us and that is what
20 we're doing.

21 And I want to also just recognize that
22 I had and I still have criticisms about former
23 sheriffs in this county. And that is the -- a
24 huge part of why I supported Sheriff Corpus to be
25 our sheriff in this county. I will say again

1 that our sheriff has proven to be a sheriff that
2 we cannot trust. And so what -- the board that
3 we will take -- the vote that we will take will
4 be based on facts and with a commitment to
5 transparency, accountability, and doing what is
6 right for the public good.

7 We cannot sit here and do nothing. And
8 I refuse now and always to, you know, look past
9 what I believe to be corruption. And in terms of
10 due process, I want it to be very clear that the
11 sheriff had an opportunity to participate in the
12 investigation and chose not to. The sheriff has
13 been invited by this board to come before this
14 board to have a conversation and she has chosen
15 not to.

16 The sheriff went in front of cameras
17 and said that she was disappointed that I didn't
18 speak to her. And then when I did, she shared a
19 voicemail for the media that was, I'm sorry, not
20 threatening at all. But I do believe that our
21 sheriff must resign. And if she doesn't and we
22 have to move forward with this election in March,
23 she will be responsible for the millions of
24 dollars that it will cost our county taxpayers to
25 hold that special election.

1 I will just wrap up by saying that I
2 personally believe that this is the best option
3 before us. We must place this on the ballot.
4 Our sheriff needs to be held accountable. No one
5 is above the law. No one should be above the
6 law. And with that, I will conclude my comments
7 and just last thing say that the will of the
8 voters will decided what happens in our
9 community. And that is something that I believe
10 to my core. And we will move forward with the
11 will of the voters. Thank you.

12 SUPERVISOR RAY MUELLER: Supervisor
13 Pine, thanks.

14 SUPERVISOR DAVE PINE: Supervisor
15 Mueller.

16 SUPERVISOR RAY MUELLER: So first,
17 Supervisor Corzo, you said 46 signatures. I
18 think you meant 46,000?

19 SUPERVISOR NOELIA CORZO: Yes.

20 SUPERVISOR RAY MUELLER: Okay. And
21 then secondly, there is just a couple of things
22 that I just wanted to add. There have been -- I
23 saw a text from a news -- from a reporter I think
24 and there's been -- it's been put out into the
25 world that all of the -- it's somehow known that

1 all of the witnesses in the report were former
2 Sheriff Bolanos supporters in the campaign. That
3 is absolutely false. The reporter who did -- who
4 put that out there should retract that.

5 Some of the people in this report,
6 these witnesses, were some of the most -- some of
7 Sheriff Corpus' most ardent supporters during her
8 campaign. It's just false. I don't know. I
9 don't know how that could even be reported.

10 Second thing that I wanted to share is
11 with respect to the recall, and county counsel,
12 if you could verify this, if a recall was
13 initiated in -- hypothetically in early
14 December, if the county were to take its full
15 time, if the elections office were to take its
16 full time that it's statutorily allowed to verify
17 signatures, and if the full time was necessary to
18 gather signatures, that may push the election
19 date into 2026.

20 JOHN NIBBELIN: That's true. I think
21 the earliest that a recall could feasibly take
22 place would be November of 2025. Probably more
23 likely it would be April of 2026.

24 SUPERVISOR RAY MUELLER: Right. So for
25 it to take place in November of 2025,

1 hypothetically that would mean the -- all the
2 signatures were gathered in an earlier amount of
3 time than statutorily allowed. And also the
4 verification of those signatures would happen
5 faster than statutorily allowed.

6 JOHN NIBBELIN: A lot of things would
7 have to fall into place optimally in order for a
8 November 2025 to happen.

9 SUPERVISOR RAY MUELLER: So I want
10 people to understand that, that the circumstances
11 and the working conditions that we're hearing
12 from our employees resoundingly in the sheriff's
13 office that exist today, absent this charter
14 amendment process, that they would be in those
15 working conditions possibly until 2026.

16 So you have that effect on employees
17 that we're concerned about as supervisors. But
18 not only that, I want everyone to think about
19 what the effect of that is in terms of our
20 readiness for a public safety event. What does
21 that dysfunction mean if we were to have a major
22 public safety event in this county during that
23 interim time period? We can't take that risk.

24 That's how I feel about it looking at
25 this as a supervisor today. I'm going to -- so I

1 feel like this is why we have to put this in
2 front of the voters. Look at all of the
3 circumstances and use your best choice. That's
4 all we can do is prevent you -- present you with
5 the evidence we've been presented with, share
6 with you the concerns that we have about it, and
7 ask you the voter what should be done.

8 SUPERVISOR DAVE PINE: I would just
9 want to reiterate the points -- one point made by
10 my colleagues, which is ultimately this will be
11 the decision of the public whether or not to
12 grant the board of supervisors this authority.
13 The public will have the opportunity to assess
14 all the facts and circumstances and consider
15 whether this is a power it wants to grant to us.
16 So in that regard, I think it's fair to the
17 public. Supervisor Slocum, would you have any
18 comment?

19 SUPERVISOR WARREN SLOCUM: Yes. Thank
20 you. Thank you, Mr. Pine. Obviously this is a
21 very difficult position that we're in. It's a
22 difficult vote that we are about to undertake. I
23 think it's unprecedented in the county's history.
24 And the bottom line for me here is that I have
25 mixed feelings about putting this on the ballot.

1 Why do I have those mixed feelings?
2 Well, it does lead to a campaign. And Supervisor
3 Pine, you just said the voters will consider the
4 facts, but I'm not so sure that that's totally
5 accurate because I do not believe that this
6 sheriff will fight this campaign with facts. I
7 know that we will, but I don't believe the
8 sheriff will.

9 And my questions around this around,
10 what happens if this passes? What happens if it
11 fails? Maybe counsel could just briefly walk
12 through that in a minute here. But for me, the
13 recall path is probably the most appealing just
14 on its surface. But if we're talking April of
15 2026 or sometime soon before that, I just can't
16 imagine being an employee working under the
17 circumstances that have existed and that exist
18 today.

19 I have a concern about -- and I know
20 there's a sunset provision for this, but I do
21 have concerns about future boards. And as I
22 said, even though there's a sunset, I still have
23 that nagging feeling that it shouldn't be left to
24 future boards. Maybe it wouldn't be given the
25 sunset. I'm curious, and maybe somebody could

1 answer this, maybe Supervisor Mueller or Corzo,
2 or may county executive or county attorney, I'm
3 curious about if we're still getting
4 whistleblower complaints or complaints from the
5 staff in the sheriff's office.

6 I'm concerned about the lawsuits that
7 most likely will come from this and the cost
8 thereto. And I'm curious, finally with another
9 question, that if the sheriff were to resign
10 sometime between now and March, would the sheriff
11 retain her county retirement and county benefits
12 that she may otherwise be entitled to? So
13 there's a few questions in there. I don't know,
14 county attorney, if you made note of those or if
15 you could respond.

16 JOHN NIBBELIN: Thank you, Supervisor
17 Slocum. Maybe I'll start with what were -- what
18 would happen if the county charter amendment were
19 to pass. And a couple of things I wanted to note
20 is the -- what the charter amendment states
21 specifically is that if the board were to seek to
22 exercise its power under the charter amendment
23 and endeavor to remove the sheriff by a four-
24 fifths vote, a couple of things that are
25 specifically required to happen is one that the

1 sheriff would have to be served with a written
2 statement of alleged grounds for removal and
3 would have to be provided a reasonable
4 opportunity to be heard regarding the --
5 regarding any explanation or defense.

6 The charter amendment also provides
7 that the board of supervisors may provide for
8 procedures by which a removal proceeding pursuant
9 to the charter would be conducted. So I want to
10 anticipate that the board would have a meeting at
11 which the board would establish procedures and
12 that notice, written notice, a written statement
13 of alleged grounds for removal would be provided
14 and then there be an opportunity for a hearing at
15 which the sheriff would have the opportunity to
16 offer an explanation or defense. That's what the
17 charter amendment sets forth. So that's what
18 would happen procedurally if this charter
19 amendment were to pass.

20 SUPERVISOR WARREN SLOCUM: Could I stop
21 you there for just a moment and thank you for
22 that thorough explanation? I'm curious, the part
23 about the sheriff has a chance to come forward
24 and respond. When in your best thinking might
25 that take place assuming we approve this Item 10?

1 JOHN NIBBELIN: Again, I anticipate
2 that that would occur -- pursuant to the charter,
3 that would occur at some point after the March
4 election date, at a point after the board of
5 supervisors has served a written statement of
6 alleged grounds for removal. So we'd be talking
7 about some point after the election in March.

8 SUPERVISOR WARREN SLOCUM: And there
9 would be -- I know this may be off base, but
10 there would be no way to get that testimony into
11 the record ahead of the election.

12 JOHN NIBBELIN: Well, there's nothing
13 that would stop that kind of a conversation from
14 taking place if -- you know, if the parties were
15 inclined to do that. But the -- but again, the
16 specific process set forth in the charter
17 contemplates written notice, then a response or
18 an opportunity to be heard with respect to the
19 written notice. So -- but again, nothing to stop
20 a conversation taking place in a different -- on
21 a different track if the parties were inclined to
22 have that kind of a conversation.

23 SUPERVISOR WARREN SLOCUM: Yeah. My
24 question is based on Supervisor Mueller's
25 invitation to the sheriff that now that she has

1 counsel to come forward and appear before the
2 board and --

3 JOHN NIBBELIN: Right. Right.

4 SUPERVISOR WARREN SLOCUM: -- testify.

5 JOHN NIBBELIN: Absolutely.

6 SUPERVISOR WARREN SLOCUM: You know,
7 and --

8 JOHN NIBBELIN: And nothing were
9 talking about doing here would foreclose that
10 happening if, again, the parties were inclined.

11 SUPERVISOR WARREN SLOCUM: Thank you.

12 JOHN NIBBELIN: A next question were --
13 well, one of the questions was with respect to
14 pensions. And I do note that the fact that
15 somebody resigns in and of itself has no impact
16 on a person's pension. There are some
17 provisions, you know, in law that I believe
18 PEPRA, Public Employee Pension Reform Act, I
19 think included some specific provisions that
20 noted that if somebody were convicted of certain
21 crimes while in office -- I'm not suggesting that
22 is relevant here, but there are some provisions
23 under PEPRA that would deprive folks of pension
24 benefits dating from the time at which misconduct
25 was first found to have occurred.

1 But again, that requires a criminal
2 conviction if I'm not misrecalling. So to go
3 back to my primary point, there's -- resigning in
4 and of itself has no bearing on pension benefits.

5 SUPERVISOR WARREN SLOCUM: So just to
6 be clear, if she resigned before the recall
7 election, she would be entitled to her
8 retirement, for instance, and other benefits and
9 --

10 JOHN NIBBELIN: To my knowledge, yeah.

11 SUPERVISOR WARREN SLOCUM: Yes. And if
12 she -- if this ballot measure appeared and it was
13 approved by the voters, her benefit package would
14 be not available to her?

15 JOHN NIBBELIN: I don't believe that's
16 true either. I think if she was removed -- I
17 don't think that removal in and of itself would
18 impact her entitlement to pension benefits.

19 SUPERVISOR WARREN SLOCUM: So she would
20 get her benefits in either scenario. Okay.

21 JOHN NIBBELIN: I believe that's true,
22 yes.

23 SUPERVISOR WARREN SLOCUM: Okay. Go
24 ahead. Thank you.

25 JOHN NIBBELIN: I think the last

1 question's whether or not we continue to get
2 complaints. I'm a little -- I'm hesitant to
3 answer all that. That's at this point kind of HR
4 related matters. So -- but -- so I frankly want
5 to -- and I'm -- I guess that's where I'd want to
6 leave it whether or not we're continuing to
7 receive complaints.

8 SUPERVISOR DAVE PINE: Supervisor
9 Mueller?

10 SUPERVISOR RAY MUELLER: I wanted to
11 follow up on a question that our argument might
12 be more of a theme that Supervisor Slocum talked
13 about, and that was communication should we pass
14 the charter amendment today, communication during
15 the time period before the election. We are
16 going to be prohibited after today -- well, from
17 talking -- it'll be -- if we vote today, it goes
18 on the ballot. It becomes a political issue
19 whether or not people vote. So we won't be able
20 to campaign for it with county resources,
21 correct?

22 JOHN NIBBELIN: There's generally a bar
23 under California law in using county resources,
24 government agency resources to either support or
25 oppose a measure that's on the ballot. So the --

1 on the other hand, I mean, the law is clear. The
2 case Stanson v. Mott is kind of the premier case
3 in this area. And it sets forth that there's a
4 distinction that should be drawn between
5 informational educating of the public versus
6 advocacy. And there's sort of a time-place-tenor
7 standard that needs to be applied when you look
8 at the communications that are taking place while
9 a measure is pending.

10 And so I guess what I'd say is we have
11 to be very careful all around as a county and
12 county agencies. County departments would have
13 to be careful all around in terms of how they're
14 using county resources to communicate. Because
15 while information and information sharing
16 educating the public is authorized, advocacy is
17 not.

18 So again, you've got to look closely at
19 the tenor, the timing, etcetera with respect to
20 communications to ensure that we don't run afoul
21 of the legal principle you were just
22 articulating. So it's fair to say we'll spend a
23 fair amount of time I believe looking at that
24 going forward.

25 SUPERVISOR RAY MUELLER: And the

1 sheriff similarly is prohibited?

2 JOHN NIBBELIN: All county departments'
3 employees are prohibited from using county
4 resources, government agency resources for
5 advocacy purposes. That's true.

6 SUPERVISOR RAY MUELLER: So the sheriff
7 would be prohibited, for instance, from using a
8 newsletter or using Next Door or using her
9 letterhead to send out mass communications about
10 the charter amendment if it was considered to be
11 campaigning?

12 JOHN NIBBELIN: We'd have to work very
13 closely with the sheriff and any other county
14 department or any other county officials
15 including the board to -- on that same issue.
16 The same legal standard applies.

17 SUPERVISOR RAY MUELLER: And is that a
18 civil standard or is that a criminal standard to
19 use county resources to campaign?

20 JOHN NIBBELIN: It's a criminal
21 statute.

22 SUPERVISOR RAY MUELLER: Thank you.

23 SUPERVISOR DAVE PINE: All right.
24 (Indiscernible) other comments at this time?

25 JOHN NIBBELIN: I've actually said a

1 lot, Supervisor Pine, but there was one other
2 thing I was hoping to add to the mix just for
3 clarity if I could.

4 SUPERVISOR DAVE PINE: Go ahead.

5 JOHN NIBBELIN: I want to note that as
6 Supervisor Corzo noted, this is adoption of an
7 ordinance. This ordinance was actually
8 introduced at a prior meeting. This is not
9 adoption of an ordinance to amend the charter,
10 but those looking at the packet for today's
11 meeting will note that there's also a resolution
12 included with this item. There's the ordinance
13 and then there's a resolution.

14 And the resolution is calling for and
15 providing for a special election, etcetera. And
16 I just want to be clear on why we included a
17 resolution with this and what the point and the
18 purpose of the resolution is. And we've done
19 this for a couple of reasons.

20 First, while the election for a charter
21 amendment under California law very specifically
22 must be called by an ordinance. The law
23 also provides that for any special local
24 election, the board must issue a proclamation or
25 a resolution calling the election, and that's

1 embedded in the election code.

2 We did include some language in the
3 ordinance that proclaims an election. But kind
4 of in the spirit of belt and suspenders and
5 making sure that we've dotted I's and crossed Ts,
6 we also prepared this resolution calling the
7 election.

8 Also, I want to note that a request to
9 consolidate an election with any other potential
10 elections occurring on March 4, 2025 must be made
11 by resolution. So on the off chance that there's
12 some other thing that's going to go to the ballot
13 in March of 2025, which I guess we'd know in a
14 few days, we want to make sure that we're able to
15 consolidate, and this resolution makes that
16 request.

17 And I just would note that Los Angeles
18 County, which included -- which as we've
19 discussed in a prior meeting, did something very
20 similar to what we're talking about doing here.
21 They also included both an ordinance and a
22 resolution for their charter amendment election
23 again back in November of 2022. So again, that's
24 why we have the two items.

25 SUPERVISOR DAVE PINE: All right.

1 Thank you for that additional information.

2 Supervisor Corzo?

3 SUPERVISOR NOELIA CORZO: I just wanted
4 to, before we go to public comment, make a couple
5 more clarifications. I want folks to understand
6 that our sheriff right now is serving during a
7 six-year term. We are wrapping up year two.
8 There are four more years left before the voters
9 would have an opportunity to vote on new
10 leadership in the sheriff's office without an
11 intervention like a charter amendment election or
12 a recall. So I want to make sure folks
13 understand that so that they can understand what
14 the urgency is.

15 And I also wanted to make sure people
16 understand that votes of no confidence have been
17 taken and statements have been made by every
18 level of the sheriff's sworn officers. The
19 deputy sheriffs, the sergeants, the lieutenants,
20 the captains, that is not normal. Every single
21 level.

22 And civilian staff, most of which who
23 are women, all of the complainants, all of the
24 staff, the civil staff that made allegations that
25 were ultimately found to be sustained are women.

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1 And so what we have in front of us is a situation
2 where, you know, our first female sheriff has
3 failed to protect women under -- you know, in the
4 sheriff's office. And that, you know, is
5 something that I will not sit by and continue to
6 watch while doing nothing.

7 So I want to also share that, you know,
8 we will hear right now public comment, and I
9 expect it to be challenging. But that is what
10 public comment is for. And we will be responsive
11 to it. It's literally our job. So thank you.

12 SUPERVISOR DAVE PINE: Thank you,
13 Supervisor Corzo. All right. Let's now move to
14 public comment. Mr. Clerk?

15 SUKHAMANI PUERWAL: Thank you,
16 Supervisor Pine. We'll take public comments from
17 chambers first and then we'll hear from Zoom.
18 We'll just start with Christopher Ulrich followed
19 by Mark Depaula. And please speak directly into
20 the mic and you'll have a minute. Christopher
21 Ulrich? So Christopher is not here or... Okay.
22 I'm going to -- I'm just going to call on the
23 speakers so if you hear your name please come up.
24 Thomas Mazulla?

25 THOMAS MAZZUCCO: Thank you. Mazzucco.

1 SUKHAMANI PUERWAL: Mazzucco. Please
2 come up.

3 THOMAS MAZZUCCO: Good morning, members
4 of the board of supervisors, Mr. Callagy, Mr.
5 Nibbelin. We are counsel representing Sheriff
6 Christina Corpus. We've been working with
7 Sheriff Corpus for a little over a week. We are
8 here to ask that this matter be continued. We've
9 sent letters to Mr. Nibbelin your county counsel
10 to give us an opportunity to respond to the
11 allegations.

12 We're talking about a report that's
13 unsubstantiated. You seem to know more about the
14 report than we do, Supervisor Mueller. But it's
15 anonymous to us. You're right. The sheriff has
16 not presented her side of the story yet probably
17 due to a lack of confidence to potential
18 conflicts of interest. But we are going to have
19 a serious conversation with the sheriff about
20 doing that.

21 And I hear from the supervisors a sense
22 of urgency to get this done. Urgency to you the
23 members of this board who are attorneys is not a
24 reason to eliminate due process or the sheriff's
25 constitutional rights.

1 Now, I come to you with a background of
2 ten years as an assistant DA in San Francisco,
3 nine years as an assistant United States attorney
4 in the United States Attorney's Office as a law
5 enforcement coordinator working with all the
6 agencies in San Mateo County, also as a police
7 commissioner for 12 years.

8 I've been through three changes of
9 police chiefs. I've hired three. And guess
10 what. There's never happiness amongst the staff.
11 Morale is always low. It takes time. And like
12 my old boss at the U.S. Attorney's Office said
13 Bob Mueller when he took over the FBI, there's a
14 third of the people are just not going to like
15 you, a third that will like you, and a third that
16 you're going to have to win over. And we need to
17 give the sheriff that chance.

18 Law enforcement is a unique, unique
19 thing. The community. The community. Crime is
20 down. The stats are down. That's unique. You
21 cannot usurp the authority of the community.
22 Crime is down and staffing in the sheriff
23 department is up.

24 I want to say one thing. Morale is up.
25 I can you right now I know the men and women of

1 the sheriff's department are still responding to
2 calls for service to serve their community no
3 matter who's in charge. There's a lot of
4 questions from this board. There's a lot of
5 uncertainty about the process. I ask that you
6 continue this matter to protect the sheriff's
7 rights because it's the right thing to do.

8 When you did Pledge of Allegiance you
9 said, "and justice for all". Justice, especially
10 for you lawyers on this board, we need to give
11 the sheriff an opportunity to respond. This is
12 premature for you to usurp the authority of the
13 voters. I thank you for giving me additional
14 time.

15 SUKHAMANI PUERWAL: Thank you.
16 Christopher Ulrich followed by Mark Depaula. And
17 as a reminder through the acting chair, you have
18 one minute.

19 CHRISTOPHER ULRICH: Thank you. Good
20 morning. I am colleagues with Tim Mazzucco and
21 also counsel for Sheriff Christina Corpus. I
22 echo what he says and request a delay. I know
23 the allegations are serious, but at this point
24 they are just allegations.

25 I understand it was an esteemed

1 investigator. Many of the people she interviewed
2 by her own admission were complainants. It
3 doesn't look like -- look to us as though she
4 really tried to verify or check against their
5 allegations. Now, I understand we are not in a
6 court of law and this is a political process. We
7 are just across the walkway though from the
8 courthouse. And every day in that courthouse
9 allegations are made and the person against whom
10 those allegations are made has an opportunity to
11 respond.

12 I understand you provided or you
13 offered that to Ms. Corpus previously. She now
14 has counsel and we are requesting that this board
15 delay this vote and give her an opportunity to
16 fully respond. Thank you for your time.

17 SUKHAMANI PUERWAL: Thank you. Mark
18 Depaula followed by Monica Berlin.

19 MARK DEPAULA: A board of supervisors
20 should not be involved in a recall with the
21 current Sheriff Corpus. Sheriff Corpus was
22 elected by San Mateo County voters. Why has a
23 board of supervisors take such action when the
24 same board of supervisors had hired Judge Cordell
25 to investigate District Attorney Wagstaff?

1 District Attorney Wagstaff said he
2 would not cooperate with Judge Cordell regarding
3 the Bat Mobile case, which San Mateo County
4 deputies went to Indiana to harass an innocent
5 car body man on the behalf of a rich San Mateo
6 County real estate individual. Why hasn't the
7 board of supervisors asked for a recall of San
8 Mateo County District Attorney Wagstaff?

9 2007 the former sheriff and
10 undersheriff were caught in a sex slave house
11 with an underage Hispanic girl. This was called
12 Operation Dollhouse by the FBI. In 2014 the
13 sheriff was re-elected and shortly resigned, and
14 the board of supervisors appointed the
15 undersheriff to sheriff.

16 In 2018 the board of supervisors
17 endorsed the appointment of -- knowing what had
18 happened in 2007. I have the disk from the FBI,
19 and I'm sure the board of supervisors would not
20 want them.

21 SUKHAMANI PUERWAL: Thank you. Our
22 next speaker is Monica Berlin followed by Heather
23 Colbert. I'm not so sure if she's speaking on
24 this item, but we'll check.

25 MONICA BERLIN: Hello. Good morning.

1 My name is Monica Berlin, and I just wanted to
2 come down here to speak in favor of Sheriff
3 Corpus. I live in Half Moon Bay in the Half Moon
4 Bay community my entire life. Whenever I
5 encounter deputies on duty in Half Moon Bay, and
6 I ask them about Christina Corpus because I was
7 very supportive of her campaign and how great she
8 is, I always see deputies' faces light up when I
9 engage them about Christina Corpus.

10 I've never heard anybody complain about
11 her. So I think she's done amazing things with
12 the sheriff's office. Like crime is down and
13 morale of the deputies I encounter is up. And I
14 just want to say I -- the report is completely
15 unsubstantiated, and it's inappropriate for you,
16 Ms. Corzo, with all your distracting jewelry.
17 It's very distracting with your nose ring and
18 your earrings, and it's inappropriate.

19 But I think for you all to be attacking
20 her just shows more about you. And I know you're
21 all corrupt. And hopefully next year is -- your
22 time will be up and corruption is your way of
23 doing business. But with Donald Trump coming
24 back and the death penalty for pedophiles,
25 hopefully --

1 SUPERVISOR DAVE PINE: Thank you.

2 MONICA BERLIN: -- we won't have to see
3 you anymore.

4 SUKHAMANI PUERWAL: Thank you. Heather
5 Colbert. Okay. Thank you. No additional
6 speakers from chambers, so Madam Clerk, please
7 proceed.

8 SHERRY GOLESTAN: Thank you. We are on
9 Item Number 10 with ten speakers. Alison Madden
10 followed by Sameena Usman. Alison, please unmute
11 and begin.

12 ALISON MADDEN: Hello. Good morning.
13 I think it's shocking the speed and hysteria with
14 which this board as currently constituted has
15 been handling this issue. Yes, we've read the
16 report. It's disrespectful to the voters to take
17 this action at this time and keep telling us to
18 read the report.

19 Two of you are terming out and will be
20 unaccountable to voters for your vote today. I
21 predict the rest of you will have a challenge
22 with your re-election. You should wait for the
23 newly elected supervisors to take their seats
24 before any action is taken on this issue. That
25 is the most recent expression of the people's

1 will.

2 I based my vote for my supervisor for
3 my area on the candidate's specific response to
4 support for the sheriff in text about this issue
5 and the campaign responded. It's not surprising
6 that the fraternization rule is being used
7 against a woman and woman of minority background.
8 And I'm not joking. Just like Fani Willis, this
9 county should eliminate that rule or amend it
10 going forward for disclosure, or look at every
11 male and female or even (indiscernible).

12 This sheriff is a reformer. She's the
13 only one in this county that cares about the
14 women in incarceration. And specifically, one of
15 the personnel issues that the rank and file don't
16 like is she wants overtime to be in the jails,
17 which is entirely proper. She cares about women,
18 and she's a reformer. LaDoris Cordell was the
19 worst pick --

20 SUPERVISOR DAVE PINE: Thank you. You
21 need to wrap up.

22 ALISON MADDEN: Yeah. A panel of three
23 like an arbitration would've been proper. And
24 LaDoris Cordell went to the mat for Judge Persky
25 in the Brock Turner case. People should look

1 that up. She was the wrong person to hire.

2 Thank you.

3 SHERRY GOLESTAN: Thank you. Sameena
4 Usman followed by Nancy Goodban. Just a
5 reminder, please adhere to the one-minute timer.
6 Sameena, please unmute and begin.

7 SAMEENA USMAN: Hello. My name is
8 Sameena Usman and I'm speaking on behalf of
9 Secure Justice. We call for you to -- we're
10 calling for a special election on March 4th to
11 vote on the proposed amendment to the charter.

12 The thing is that we need to grant the
13 authority to remove the sheriff without the
14 sunset clause because otherwise we're going to
15 have to do this at the taxpayer expense.
16 Accountability is the cornerstone of public trust
17 in our democratic institutions, particularly in
18 law enforcement.

19 We -- when -- while elected officials
20 must retain independence, there must be
21 safeguards to ensure that they act in the best
22 interest of the community. Calling for a special
23 election allows for the voters at San Mateo
24 County to make their voices heard on this
25 critical issue and ensures ample time for the

1 community education and engagement and empowers
2 the residents to fully understand the
3 implications of this charter amendment.

4 This is the opportunity to strengthen
5 public confidence in our institutions and
6 reaffirm your commitment to accountability and
7 justice. I urge you to take this step. Thank
8 you.

9 SHERRY GOLESTAN: Thank you. Nancy
10 Goodban followed by Joaquin Jimenez. Nancy,
11 please unmute and begin.

12 NANCY GOODBAN: Hi. Thank you. My
13 name is Nancy Goodban. I live in Redwood City.
14 I'm with Fixin' San Mateo County. Thank you for
15 what you're doing. I do support it. We are at
16 such a critical juncture with regard to public
17 safety in this community as Supervisors Mueller
18 and Corzo have outlined.

19 The current sheriff is the only in the
20 department who seems to support -- the current
21 undersheriff is the only one in the department
22 who still seems to support the current sheriff,
23 but she refuses to participate in any solutions.
24 This provides an opportunity for you to safeguard
25 against similar problems in the future.

1 I hope that you will look at creating a
2 regular ongoing inspector general position to
3 provide an independent channel where people can
4 raise concerns and questions and the opportunity
5 to address problems before they become such a
6 liability. The inspector general would develop a
7 communication protocol with the sheriff's office
8 to be able to make policy and practice
9 recommendations to your board and to the sheriff.

10 I also hope that you will ask
11 (Indiscernible) to weigh in, in their role as
12 advisory to your board. It's time to give them
13 duties, powers -- thank you for all that you do.

14 SHERRY GOLESTAN: Thank you, Nancy.
15 Joaquin Jimenez followed by Ron Snow. Joaquin,
16 please unmute and begin.

17 JOAQUIN JIMENEZ: Good morning again.
18 My name is Joaquin Jimenez. I am the mayor for
19 the city of Half Moon Bay, but I'm speaking as a
20 concerned citizen. I support Sheriff Christina
21 Corpus 100 percent. And no, I do not agree to
22 give you my vote, to give you my permission to
23 ask her to resign, to remove her from her
24 position.

25 This is a witch hunt. You -- if

1 Christina Corpus would've been a man, this would
2 not be happening. She has changed our community.
3 She has helped out community. The crime in the
4 coast has dropped significantly. If some of you
5 were to be investigated about special events,
6 special parties, many of you would have to be
7 removed. And again, I do not give you my
8 permission. I do not give you my vote for you to
9 remove Sheriff Christina Corpus. I support her
10 100 percent. Thank you.

11 SHERRY GOLESTAN: Thank you. Six
12 hands. Ron Snow followed by Cindy. Ron, please
13 unmute and begin.

14 RON SNOW: Yes, supervisors. Thanks --
15 thank you for listening. I do think that there's
16 been a lack of transparency. I searched through
17 the county notes on this thing and there's no
18 counter-arguments that are posted. George Galen
19 I think was the person who did a very good
20 analysis of the judge's report and points out so
21 many different flaws and opinionated statements
22 that I think it's important for that report to be
23 posted as well as some of these other areas.

24 To only allow one minute is an example
25 of why the public isn't being allowed to have a

1 counter-measure. The other one is I think this
2 has just gone too far too fast. I got notified a
3 week or so ago of a meeting that was supposed to
4 happen in two hours so there wasn't even -- a
5 meeting by Mueller that said that there was
6 ongoing to be more information disclosed. No
7 time to react to that. No time to schedule for
8 that. So I hope that you slow this down, allow
9 the new board of supervisors to vote on this, and
10 make this happen later in the year. Thank you.

11 SHERRY GOLESTAN: Thank you. Cindy
12 followed by James C. Johnson. Sydney -- Cindy,
13 please unmute and begin.

14 CINDY MCREYNOLDS: Hi. My name is
15 Cindy McReynolds, and thank you for this
16 opportunity to talk. And I would like to know --
17 I've heard the supervisors that they all have
18 their own opinion, which appears to be in
19 contrast to what the constituents of San Mateo
20 County have.

21 I have not heard anybody that is
22 representing the people, and I thought this board
23 was supposed to represent the people of San Mateo
24 county. Yet we have no complaints. We have no
25 recall, and we're happy with the sheriff. We

1 were unhappy with the prior sheriff and the prior
2 actions of the board of supervisors. And two of
3 them are still on the board that didn't do
4 anything about prior indiscretions.

5 Another thing I would like to bring up
6 is that this is tyranny that for you to take our
7 constitutional votes and then not give us the
8 opportunity to recall anybody. I don't know if
9 you're going to put somebody in or we vote for a
10 new sheriff. But have you -- I just want to know
11 if you've registered with the secretary of state
12 and are following the election code in regards to
13 your recall and your campaign. Thank you.

14 SHERRY GOLESTAN: Thank you, Cindy.
15 James C. Johnson followed by Andrea Paul. James,
16 please unmute and begin.

17 JAMES C. JOHNSON: James C. Johnson
18 here, Redwood City. I've been with Redwood City
19 for 40 years. I just want to reiterate to the
20 board of supervisors you guys do not have the
21 authority to remove the sheriff. You guys can
22 make suggestions and policies and use the code in
23 San Mateo County as a Rubix Cube to justify your
24 fraudulent agenda.

25 But you do not have the authority to

1 trump the votes of San Mateo County. Sixty
2 percent of the people voted for Christina. Crime
3 rate is down. I have also spoken to over dozens
4 of sheriff's officers. I've also spoken to Mike
5 who's sitting on the left-hand side there, you
6 know, and saying Carlos. And this is a witch
7 hunt. This is a witch hunt. Mike's the devil
8 behind the curtain that's justifying this agenda,
9 and he's promoting and pushing the board of
10 supervisors to go along and remove the vote.

11 You have five people sitting there, and
12 you guys want to remove 30,000, 40,000 votes that
13 voted for Christina Corpus with no justification
14 whatsoever. And if in fact you guys follow the
15 code of California to remove an elected official
16 like they did the governor of California a couple
17 of times, then I could say that that could be
18 justifiable.

19 But you guys have no probable cause.
20 Christina Corpus hasn't done anything.
21 Everything in the allegations in the report, 102
22 documents, are full of hyperboles and homonyms --

23 SUPERVISOR DAVE PINE: Thank you, Mr.
24 Johnson.

25 JAMES C. JOHNSON: -- to justify your

1 guys' agenda and --

2 SHERRY GOLESTAN: That's your time.

3 JAMES C. JOHNSON: -- and you guys are
4 creating hysteria amongst the community that is
5 unjustifiable. And you guys are going to face
6 legal action with an injunction in federal court
7 if you guys continue to pursue with this
8 fraudulent --

9 SUPERVISOR DAVE PINE: Madam Clerk,
10 (indiscernible).

11 JAMES C. JOHNSON: -- agenda against
12 the sheriff.

13 SUPERVISOR DAVE PINE: Thank you.

14 JAMES C. JOHNSON: You guys are --

15 SHERRY GOLESTAN: Mr. Johnson --

16 JAMES C. JOHNSON: -- are pathetic.
17 You guys are pathetic.

18 SHERRY GOLESTAN: Mr. Johnson, the
19 chair has asked you to wrap up.

20 JAMES C. JOHNSON: You guys both --

21 SUPERVISOR DAVE PINE: Please mute him.

22 JAMES C. JOHNSON: You guys will be
23 removed from office in the next election term.

24 SUPERVISOR DAVE PINE: We have to wrap
25 up.

1 JAMES C. JOHNSON: Mark my words.

2 SHERRY GOLESTAN: Okay. And we will
3 now go to Andrea Hall. We also had a hand up for
4 Ann. Ann, your hand is now lowered. I just
5 wanted to mention that in case you meant to
6 speak. Andrea, please unmute and begin.

7 ANDREA HALL: Good morning. My name is
8 Andrea Hall. And as you may know, I was recently
9 elected to the Broadmoor Police Commission. I'm
10 here to speak in favor of the resolution but
11 against the sunset clause. Law enforcement in
12 unincorporated San Mateo County clearly needs
13 continued oversight. The Cordell report makes
14 that clear.

15 And just yesterday the Broadmoor Police
16 District hired an officer who had a DUI for
17 driving a government-owned vehicle with a blood
18 alcohol level of 0.269. I know that creating
19 oversight for law enforcement in San Mateo County
20 will take time, and it requires the trust of the
21 community but it is essential. And so I would
22 ask you to pass this resolution today. Thank you
23 very much. I'd like to cede the remainder of my
24 time.

25 SHERRY GOLESTAN: Thank you, Andrea.

1 Dan Stegink followed by Pat Willard. Dan, please
2 unmute and begin.

3 DAN STEGINK: Thank you, supervisors.
4 It's quite clear now that you don't have the
5 legal purview to remove the sheriff just because
6 you want to. It's not a court of law. It's a
7 kangaroo court.

8 It's not true that only the guilty get
9 legal counsel. An exercise of one's
10 constitutional rights is not probable cause.
11 Changing federal policy largely requires a
12 federal vote. Changing state policy largely
13 requires a state vote. As a rescue diver, I've
14 worked with tens of federal, state, and local law
15 enforcement agencies recovering hundreds of
16 bodies in California and across the U.S.

17 And as a California Democratic party
18 member, I've written more justice reform
19 resolutions than anyone else in the county
20 combined. Cops are bred for war. Tapia, Corpus,
21 Callagy, they're all cops. If you put them in a
22 room, they'd get into a fist fight before they
23 would decide where to go buy sandwiches. You
24 need to be the adults in the room. Don't recall
25 Sheriff Corpus. Recall Ray Mueller. Thank you

1 very much.

2 SHERRY GOLESTAN: Thank you, Dan. Pat
3 Willard followed by Ann. Pat, please unmute and
4 begin.

5 PAT WILLARD: Thank you. I want to
6 raise a couple of things from Los Angeles County
7 Chapter 3.79.030. A sheriff's civilian oversight
8 commission investigates through the office of
9 inspector general to analyze solicit input and
10 investigate sheriff-related issues or complaints
11 affecting the community.

12 Chapter 6.44.190 Office of the
13 Inspector General as part of the board of
14 supervisors' duty to supervise the official
15 conduct of the sheriff under California state
16 government code. These things must be defined in
17 that same fashion in San Mateo County.

18 A couple of days ago or a couple of
19 weeks ago I listened to an ICAC meeting where
20 each of the members on that board continued to
21 say that they don't know what responsibilities
22 they have. The Chapter 7.3.79 of the Civilian
23 Staff Oversight Commission in LA County specifies
24 who, what, when, and where and how their
25 responsibilities are in plain English. Those

1 same two --

2 SUPERVISOR DAVE PINE: Thank you. You
3 need to wrap up.

4 PAT WILLARD: -- charters should be
5 implemented in San Mateo County as soon as
6 possible. Thank you.

7 SHERRY GOLESTAN: Thank you, Pat. And
8 our last speaker Ann. Please unmute and begin.

9 ANN: Thank you very much. I am
10 neither in favor of or against the current
11 sheriff. I'm just concerned about preserving
12 election integrity. Why not have a recall
13 election of a public official rather than going
14 through this type of process? I'm concerned
15 about setting a precedent for the future and
16 giving the board exclusive power over an elected
17 position.

18 On the surface, the actions seem to be
19 more of a power grab. Why not let the public
20 recall the sheriff in an election in order to
21 preserve election integrity and really supporting
22 the will of the people? What you're doing only
23 adds to people's concern about government in
24 general, and there's already a problem with the
25 perception of the public. So I just would ask

1 that you please consider a recall rather than the
2 actions you're planning today. Thank you.

3 SHERRY GOLESTAN: Thank you, Ann. No
4 further comments, acting chair.

5 SUPERVISOR DAVE PINE: All right.
6 Thank you, everyone, for your comments today.
7 Supervisor Mueller.

8 SUPERVISOR RAY MUELLER: Yeah. I think
9 it's really interesting the backdrop. It's
10 funny. I've served on the city council for ten
11 years where you hire your police chief, and I
12 think that's the method in the majority of cities
13 in San Mateo County, they hire their police
14 chief. And if they got a human resources report
15 like this, pretty sure most city councils would
16 fire that police chief.

17 So we have an elected sheriff. That's
18 something that exists historically within the
19 state. So we go through a process that's
20 incumbent to be gone through to remove that
21 sheriff different than a police chief in a city.
22 I want people to remember that process of what
23 takes place in the city because I think that's
24 important for those who are reacting to it this
25 way. Every city in San Mateo County has a city

1 council that oversees how that department is
2 managed.

3 Secondarily, I want to respond to the
4 -- with that being the case, we're not doing that
5 here. The -- let me back up. We're not doing
6 that here. The board is respecting the elected
7 position of the sheriff. And so I want to speak
8 to what the attorneys brought up with respect to
9 due process.

10 Mr. Nibbelin, if this charter amendment
11 was passed by the voters, if they looked at this
12 and they decided to give the board the power with
13 a sunset clause to go ahead and apply this
14 amendment to the charter amendment, would we
15 still be held to due process in applying this
16 charter amendment provision? Could it be
17 challenged in court if we applied this charter
18 amendment process inappropriately?

19 JOHN NIBBELIN: It could be challenged
20 in court if we applied it inappropriately. The
21 charter amendment, as I noted earlier, includes a
22 process, provision for written notice and
23 opportunity to be heard prior to the board acting
24 on the -- on a removal if indeed this were
25 passed.

1 SUPERVISOR RAY MUELLER: And the second
2 thing I wanted to respond to comments from
3 counsel, because I do take -- I do listen to your
4 comments. They're asking for a continuance, but
5 the question I have for you is -- because you
6 want to balance that. And if we continue it --
7 if we were to continue it, that would push us to
8 November for the election. Is that right?

9 JOHN NIBBELIN: It would. To be clear,
10 in order to make the March election date, the
11 board has to adopt the ordinance prior to
12 December 6, 2024, which is the election minus 88-
13 days' deadline.

14 SUPERVISOR RAY MUELLER: But we could
15 -- if it was passed today, we could take it off.
16 We could at a later date decide -- the board
17 could meet and decide, well, we're going to go
18 ahead and take the charter amendment off.

19 JOHN NIBBELIN: The board would have
20 actually until December 11th to take the matter
21 off to be clear, which is E minus -- election
22 minus 83 days. These are dates and deadlines
23 that are set forth in the election code.

24 SUPERVISOR RAY MUELLER: So if Sheriff
25 Corpus wanted to come to our next meeting on

1 December 10th and make her case, why we could
2 take this off while represented by counsel and
3 testify to us and present whatever evidence she
4 wanted to, the board could take it under
5 advisement at that time whether or not they
6 wanted to go ahead and pull the charter amendment
7 off the election. Isn't that correct?

8 JOHN NIBBELIN: I think that's correct.
9 There's some things we'd have to do to make sure
10 the agenda notice that is a possibility. But
11 yes.

12 SUPERVISOR RAY MUELLER: Okay. Well,
13 so again, I want to, through the chair, extend
14 the invitation to Sheriff Corpus to come to our
15 next meeting and talk to us. Because we can take
16 this off, take this item off if it's passed
17 today.

18 MAN 1: (Indiscernible).

19 SUPERVISOR DAVE PINE: No, that's not
20 proper at this time.

21 SUPERVISOR RAY MUELLER: So let's go --
22 with that, I'm -- I don't have any further
23 comments.

24 SUPERVISOR DAVE PINE: Supervisor
25 Corzo?

1 SUPERVISOR NOELIA CORZO: Thank you,
2 Supervisor Pine. So I want to share that our
3 board is advised. We have two lawyers on our
4 board. We have a team of lawyers who knows the
5 law, respects it, follows it, understands it.
6 And we have been presented with the options that
7 our board has for moving forward. That is what
8 has led us to this place.

9 That vote that we're going to take is
10 one that this board has carefully considered and
11 we'll shortly find out what that is. But at the
12 core of this issue is the reality that our
13 current sheriff does not understand, follow, or
14 respect not just county policy, but basic ethics
15 and -- around conflict of -- conflicts of
16 interest and much more. And for anyone who has
17 not taken a chance to review the report, please
18 do so. You know, to state that there is not
19 evidence in this report is just factually
20 incorrect.

21 And I want to share something on more
22 of a personal level because I was a supporter of
23 the sheriff. And it wasn't until I really
24 understood what the allegations were, who made
25 them, how they were sustained that I chose to

1 pull back that support. And you know, there were
2 signs. And even, you know, as recently as this
3 summer, I want to share that I had a conversation
4 with the sheriff. And in that conversation, the
5 sheriff admitted to me that Victor Aellne, who is
6 really at the core of the allegations in this
7 report, had lied to me about a statement that she
8 had allegedly made.

9 And her admitting that to me is part of
10 my decision making here because it is very clear
11 to me that she is incapable of holding Victor
12 Aellne accountable or putting anyone else's
13 interests before his and ultimately hers. And
14 that to me is a mentality that is completely
15 unbecoming of a leader who needs to make sound
16 decisions in the sheriff's office who is
17 ultimately responsible for public safety in our
18 entire county.

19 Again, votes of no confidence by every
20 level of the sheriff's office. The day that we
21 released this report, for anyone who's kind of
22 new to the situation, the sheriff arrested the
23 union president of the Deputy Sheriff's
24 Association, who was a former long supporter of
25 hers. And shortly thereafter, we saw her new

1 assistant sheriff and a captain quit because of
2 their involvement in that arrest.

3 There are investigations still
4 happening right now around all of these matters.
5 And those will ultimately, you know, be presented
6 to the community as well. But I just -- I want
7 people to understand that these are not decisions
8 that we have come to lightly. And we have to do
9 what's right for this community even when it's
10 hard, even when we have members of the public
11 come and directly attack us and say whatever they
12 want to say because it's their right. That's
13 their First Amendment right, and we respect those
14 rights here.

15 I want to urge my colleagues here to
16 support the second reading of this ordinance and
17 the resolution before us because there are people
18 who feel silenced right now that are county
19 employees. And I have great concern for members
20 of the public who are being impacted by this who
21 do not know how to stand up for themselves or are
22 scared to speak up.

23 My biggest fear if we see this level of
24 dysfunction in our sheriff's office, what does
25 that mean for your everyday resident? What does

1 that mean for people walking down the street and
2 for their rights? We already have a claim
3 against the county for the arrest of the union
4 president. And all of that while the public
5 knows that there -- you know, there was an
6 investigation. There's -- the report has been
7 released.

8 We saw our sheriff on November 13th
9 come into these chambers and not only completely
10 deny everything in the report, but she tried to
11 promote Victor Aellne to a position he's not
12 qualified for right in these chambers. If those
13 are not political theatrics, I don't know what
14 is.

15 We are happy to hear from the sheriff,
16 but I want people to know that I have zero
17 confidence in anything coming out of her mouth
18 being truthful. And saying that about a law
19 enforcement officer is really concerning. And
20 our county is doing everything we can to apply
21 the same level of accountability for everyone.

22 But ultimately, again, I just want to
23 come back to -- I want to urge our board to pass
24 this second reading and this resolution. It's
25 the right thing to do. We cannot wait for an

1 emergency to happen in our community and the
2 dysfunction that the sheriff's office to make
3 that even worse. We have to act now. We have to
4 be proactive.

5 And let me just say for the people
6 working at the sheriff's office, this is far too
7 late already. They have already been harmed over
8 time. And many of those complainants are women,
9 are women of color, and we need to be their
10 voice, and we need to protect them, and we need
11 to do what is right for our community. So with
12 that, I -- unless anyone wants to share
13 additional comments, I motion to approve -- oh,
14 sorry. Go ahead, Supervisor --

15 SUPERVISOR DAVE PINE: We do have
16 Supervisor Slocum has --

17 SUPERVISOR NOELIA CORZO: President
18 Slocum?

19 SUPERVISOR DAVE PINE: -- raised his
20 hand.

21 SUPERVISOR WARREN SLOCUM: Thank you,
22 Mr. Pine. I'm just curious through the chair and
23 directed toward county attorney. Could we --
24 does it make any sense to formally invite the
25 sheriff to join us on December 10th with her

1 counsel, excuse me, to offer whatever testimony
2 she would like in response to this matter? And
3 the reason for that is I understand that we would
4 have until December 11th to remove the proposed
5 ballot measure.

6 SUPERVISOR RAY MUELLER: I would --
7 Supervisor Slocum, thank you. That was also what
8 I had brought forward, and I'd like to second
9 that. But I'd like to add one caveat. Sworn
10 testimony. And I anticipate that in making that
11 request for the 10th to provide sworn testimony
12 the response we may get will be, well, there's
13 certain things we don't have yet or -- but there
14 are 14 different allegations in that
15 investigation.

16 And I would welcome sworn testimony on
17 any of those 14 allegations. Some of those
18 having to do with her -- specifically with her
19 relationship with Mr. Aellne, some having to do
20 with text messages. These are items that frankly
21 her to -- her coming in and just providing sworn
22 testimony regarding should be -- just come tell
23 us what happened.

24 There's allegations here in the
25 complaint. Tell us in your own words what

1 happened under sworn testimony before us on the
2 10th before we decide to move forward. So I
3 don't know if she'll want to provide testimony
4 with respect to all 14 allegations, but I'd like
5 to know which ones she is prepared to provide to
6 us on December 10th.

7 SUPERVISOR WARREN SLOCUM: And Mr.
8 Counsel, do we -- would there have to be an
9 amended motion to cover what the supervisor just
10 went through?

11 JOHN NIBBELIN: I think that the
12 board's got the discretion either through a
13 motion or an amended motion to invite the sheriff
14 under whatever terms the board cares to, whether
15 it's sworn, non-sworn testimony. That's totally
16 within the board's discretion.

17 And you know, however the board wants
18 to sort of frame the invitation, I think it's
19 within their discretion. It could be a motion to
20 issue that invitation. It could be direction to
21 have that invitation transmitted. You know,
22 there are a number of ways that that could be
23 done. And so yes, absolutely, that would be
24 within the board's discretion again whether it's
25 sworn or non-sworn testimony. You know, it's --

1 again, the board's discretion.

2 Would note that, again, you know, the
3 -- in the -- you know, in -- additionally, I mean
4 the board is aware and the sheriff's aware that
5 this office, the Office of the County Attorney,
6 does represent the sheriff's office. There are
7 processes for the sheriff to request separate
8 counsel when separate -- when the sheriff
9 believes that there's a conflict that would
10 prevent our office from representing both the
11 board and the sheriff.

12 And if the sheriff wanted to show up
13 with different representation, that's up to --
14 that would of course be up to the sheriff. But
15 recognize again that the Office of the County
16 Attorney in the ordinary course represents the
17 sheriff unless separate counsel's been appointed,
18 and there's a process dictated in the government
19 code for doing that. So I just wanted to flag
20 that issue as well.

21 SUPERVISOR RAY MUELLER: I --

22 SUPERVISOR WARREN SLOCUM: Well -- go
23 ahead.

24 SUPERVISOR RAY MUELLER: I'm sorry,
25 Warren. I didn't mean to interrupt you.

1 SUPERVISOR WARREN SLOCUM: No, go
2 ahead. I was just prepared to make a motion to
3 have the subcommittee -- I guess it would be a
4 subcommittee, invite the sheriff to come and
5 provide sworn testimony to whatever allegations
6 she would like to speak to. And she's welcome to
7 bring her attorney -- attorneys.

8 SUPERVISOR NOELIA CORZO: Sorry. I
9 just want to get clarity on -- I feel like we
10 have a couple -- well, that's the motion, but we
11 have to vote on the matter before us as well. Do
12 you want to add that to your motion, President
13 Slocum?

14 SUPERVISOR WARREN SLOCUM: I just --

15 SUPERVISOR DAVE PINE: I think it's two
16 separate motions.

17 SUPERVISOR WARREN SLOCUM: Yeah. I
18 wanted to bifurcate it. One is the invitation
19 and two is the ballot -- proposed ballot measure.

20 SUPERVISOR RAY MUELLER: So we could
21 just take care of the second one first and then
22 go back to yours. So I'll second Supervisor
23 Slocum's motion.

24 JOHN NIBBELIN: Okay. Just to be clear
25 for the record, the motion is that an invitation

1 -- that the subcommittee -- and I want to be
2 clear who is the subcommittee that we're
3 referring at that point, Supervisor Slocum?

4 SUPERVISOR WARREN SLOCUM: I think it
5 would be Supervisor Mueller and Supervisor Corzo.

6 JOHN NIBBELIN: Thank you.

7 SUPERVISOR RAY MUELLER: May I make one
8 amendment to your motion, Supervisor Slocum?
9 Sworn testimony and then questions and answers
10 with the board so there's dialogue within the
11 invitation.

12 SUPERVISOR WARREN SLOCUM: Sure.
13 That's acceptable.

14 JOHN NIBBELIN: And again, the -- I
15 want to note just as a matter of record that the
16 board of supervisors has not authorized separate
17 counsel for the sheriff. The sheriff does have
18 -- as has been noted, there are individuals here
19 today who have identified themselves as counsel
20 for the sheriff.

21 But the board of supervisors have not
22 itself appointed separate counsel or agreed to
23 appoint separate counsel for the sheriff. But if
24 the -- again, the invitation is the sheriff can
25 bring whom she wants as representation. I want

1 that clear as well.

2 SUPERVISOR RAY MUELLER: It is, but I
3 want to clarify for the public what you mean by
4 that. The board has not authorized -- or I guess
5 you haven't reached the conclusion to ask us to
6 pay for separate counsel. She's -- and that's
7 what the term "authorized" means. She's welcome
8 to hire whomever she wants to be her counsel.
9 The board's not prohibiting that. And it appears
10 that there is counsel here today representing
11 her.

12 JOHN NIBBELIN: That's what I'm trying
13 to make clear.

14 SUPERVISOR RAY MUELLER: Okay.

15 JOHN NIBBELIN: Again, there's a
16 process in the government code for the county to
17 fund separate counsel. That has not yet
18 occurred.

19 SUPERVISOR RAY MUELLER: Okay.

20 SUPERVISOR NOELIA CORZO: Can I just
21 add a clarification on that note? The board has
22 not made a decision on that because there hasn't
23 been a clearly defined specific issue that has
24 been articulated in a request. It can't just be
25 a general broad request for anything. It has to

1 be about a specific issue.

2 JOHN NIBBELIN: That's our reading of
3 the law. That's true, yes. But that -- but
4 again, I think I have the motion then. It's an
5 -- the subcommittee would issue invitation to the
6 sheriff to provide sworn testimony before the
7 board meeting -- before the board at its meeting
8 of December 10th with representation of her
9 choice if she chooses to bring representation
10 with a provision that it would be a question-and-
11 answer component to that as well.

12 SUPERVISOR RAY MUELLER: Okay. I'll
13 second that motion.

14 SUPERVISOR DAVE PINE: That's a motion
15 made by Supervisor Slocum and seconded by
16 Supervisor Mueller.

17 SUKHAMANI PUERWAL: I'll take the roll
18 call. Supervisor Pine?

19 SUPERVISOR DAVE PINE: Yes.

20 SUKHAMANI PUERWAL: Thank you.
21 Supervisor Corzo?

22 SUPERVISOR NOELIA CORZO: I want to
23 share that, before I cast my vote, I'm again
24 extremely concerned that, even under oath, our
25 sheriff will use this as a platform to continue

1 to lie. So I'm going to abstain on this one.

2 SUPERVISOR DAVE PINE: Thank you.

3 Supervisor Mueller?

4 SUPERVISOR RAY MUELLER: Yes.

5 SUPERVISOR DAVE PINE: Supervisor
6 Slocum?

7 SUPERVISOR WARREN SLOCUM: Yes.

8 SUPERVISOR DAVE PINE: Thank you.

9 Motion passes with Supervisor Corzo abstaining.

10 All right. We should move back to the matter at
11 hand. Supervisor Corzo --

12 SUKHAMANI PUERWAL: Did Supervisor Pine
13 vote?

14 SUPERVISOR DAVE PINE: Yes, I did.

15 SUKHAMANI PUERWAL: Okay. I'm sorry,
16 Supervisor Pine.

17 SUPERVISOR DAVE PINE: Did you have a
18 motion?

19 SUPERVISOR NOELIA CORZO: Yes. I move
20 to pass the second reading of the proposed
21 ordinance and the resolution before us.

22 JOHN NIBBELIN: So the motion, again,
23 to adopt the ordinance and --

24 SUPERVISOR NOELIA CORZO: Adopt the
25 ordinance and approve the resolution.

1 JOHN NIBBELIN: Thank you.

2 SUPERVISOR NOELIA CORZO: Thank you.

3 SUPERVISOR RAY MUELLER: I'll second
4 it.

5 SUPERVISOR DAVE PINE: Sure.

6 SUKHAMANI PUERWAL: I'll take the roll
7 call. Supervisor Pine?

8 SUPERVISOR DAVE PINE: Yes.

9 SUKHAMANI PUERWAL: Thank you.
10 Supervisor Corzo?

11 SUPERVISOR NOELIA CORZO: Yes.

12 SUKHAMANI PUERWAL: Supervisor Mueller?

13 SUPERVISOR RAY MUELLER: Yes.

14 SUKHAMANI PUERWAL: And Supervisor
15 Slocum?

16 SUPERVISOR WARREN SLOCUM: Yes.

17 SUKHAMANI PUERWAL: Thank you. Motion
18 passes with Supervisor Canepa being absent.

19 SUPERVISOR DAVE PINE: All right. That
20 concludes this item. Thank you, everyone.

21 (End of requested portion)
22
23
24
25

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.

Date: February 24, 2025

<%12151,Signature%>

Sonya Ledanski Hyde

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